



# Report of the Committee on Procedure and Evidence for the Determination of Claims for Unemployment Insurance Benefit.

*Presented by the Minister of Labour to  
Parliament by Command of His Majesty,  
October, 1929.*

LONDON:

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1929.

Price 1s. 6d. Net.

Cmd. 3415.

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NOTE.—The second volume will contain the Minutes of Evidence given before the Committee.

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NOTE.—The estimated cost of the preparation of this Report (including the expenses of the Committee) is £815, of which £65 represents the estimated cost of the printing and publishing of this Report.

## TERMS OF REFERENCE.

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To consider and report upon the constitution and procedure of statutory authorities performing the functions of Insurance Officers and Courts of Referees under the Unemployment Insurance Acts, and the nature of the evidence to be required as to the fulfilment of the conditions or the absence of the disqualifications for the receipt of unemployment benefit under the Acts.

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## CONSTITUTION OF COMMITTEE.

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Sir HAROLD MORRIS, K.C. (*Chairman*).  
Councillor Mrs. A. ADAMS.  
Mr. JOHN A. GREGORSON.  
Mr. A. HAYDAY, M.P.  
Mr. J. F. G. PRICE, C.B.  
Professor F. TILLYARD, C.B.E.  
Mr. H. R. HODGES (*Secretary*).

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# REPORT.

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Report to the Right Hon. MARGARET BONDFIELD, M.P.,  
Minister of Labour.

## INTRODUCTION.

MADAM,

1. We were appointed by you on 25th July, 1929, with the above terms of reference, and we now have to report to you the result of our consideration of the matters remitted to us.

In order that we might have the necessary information to enable us to appreciate the existing position on the several questions which we had to consider, we began our enquiry by taking evidence from an officer of the Ministry of Labour who placed before us informative memoranda and furnished oral evidence upon them. Subsequently we received written and oral evidence from the central national bodies representing employers and workpeople, namely, the National Confederation of Employers' Organisations and the Trades Union Congress General Council. We have also received evidence from two Members of Parliament, other workpeople's organisations mainly Trade Unions, the Standing Joint Committee of Industrial Women's Organisations, and Chairmen and Members of Courts of Referees.

2. We have held 16 sittings at 10 of which we have heard evidence from 30 witnesses. Individual members of the Committee visited Exchanges and attended sittings of Courts of Referees in various parts of the country. Our proceedings were somewhat hindered by the fact that the holiday period supervened almost directly after the date of our appointment, but we have succeeded in completing our report by the time which you indicated as desirable. This fact is largely due to the willingness of the witnesses to submit notes of the evidence and attend before us on short notice.

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## PART I.

### EXISTING PROCEDURE.

3. Before reporting the results of their consideration of the matters referred to them the Committee deem it advisable to outline the provisions under which claims of insured persons to unemployment benefit are established, the procedure at present in operation for determining such claims and questions arising in connection therewith.

The Law relating to unemployment insurance is laid down in the Unemployment Insurance Acts, 1920 to 1929. Under these Acts an insured contributor is entitled to receive unemployment benefit (a) if he proves that the statutory conditions are fulfilled

in his case, and (b) if he is not disqualified under the Unemployment Insurance Acts for the receipt of benefit.

4. *Statutory conditions.*—The statutory conditions for the receipt of unemployment benefit are:—

(i) that not less than thirty contributions have been paid in respect of him as an insured contributor in respect of the two years immediately preceding the date on which application for benefit is made.

There are certain transitional provisions which are stated in paragraph 12.

(ii) that he has made application for unemployment benefit in the prescribed manner, and proves that since the date of the application he has been continuously unemployed;

(iii) that he is capable of and available for work;

(iv) that he is genuinely seeking work, but unable to obtain suitable employment;

(v) that, if he has been required by an insurance officer, in pursuance of regulations made under this Act by the Minister after consultation with the Board of Education, to attend at any course of instruction approved for the purposes of this provision under the regulations so made, he proves that he duly attended in accordance with the requirement.

5. The disqualifications for unemployment benefit are that:—

(i) An insured contributor who has lost employment by reason of a stoppage of work which was due to a trade dispute at the factory, workshop or other premises at which he was employed shall be disqualified for receiving unemployment benefit so long as the stoppage of work continues, except in certain cases the details of which are not material to this inquiry.

(ii) An insured contributor who loses his employment through his misconduct, or who voluntarily leaves his employment without just cause, shall be disqualified for receiving unemployment benefit for a period of six weeks or such shorter period . . . as may be determined under the provisions of the Acts from the date when he so lost or left his employment.

(iii) An insured contributor shall be disqualified for receiving unemployment benefit while he is an inmate of any prison or any workhouse or other institution supported wholly or partly out of public funds, or, subject to the provisions of the Acts, while he is resident, whether temporarily or permanently, outside the United Kingdom.

(iv) An insured contributor shall be disqualified for receiving unemployment benefit while he is in receipt of

any sickness or disablement benefit or disablement allowance under the National Health Insurance Acts, and under the Widows', Orphans' and Old Age Contributory Pensions Act, 1925, the right to unemployment benefit ceases when the insured contributor attains the age of sixty-five.

6. *Insurance Officers*.—All claims for unemployment benefit and all questions whether the statutory conditions are or continue to be fulfilled and all questions as to disqualification under the Acts are decided in the first instance by insurance officers.

The Acts provide that "insurance officers shall be appointed by the Minister (subject to the consent of the Treasury as to number) and the insurance officers shall be appointed to act for such areas as the Minister directs."

There are at the present time 1,748 insurance officers and of these there are 1,690 at the various Divisional Offices, Employment Exchanges and Branch Offices throughout the country and 58 at the Head Office at Kew.

The number of insurance officers at an Exchange depends on the size of the Exchange; in the larger ones there are usually three or four, the manager, the sub-manager, a supervisor and a woman supervisor being appointed insurance officers. In small Exchanges and Branch Offices there is only one insurance officer, generally the manager.

At the Head Office at Kew there is one insurance officer designated the Chief Insurance Officer who with 57 insurance officers working under his direction decides all matters referred to the Chief Insurance Officer's Department by the various Employment Exchanges and Branch Offices.

7. *Courts of Referees*.—In any case where unemployment benefit is refused or stopped by an Insurance Officer, the person claiming or in receipt of benefit has the right of appeal against the decision to a Court of Referees.

A Court of Referees consists of a chairman appointed by the Minister and members selected from each of the panels of persons chosen to represent employers and insured contributors respectively constituted by the Minister for different districts throughout the country.

If the insured contributor consents, the case may be proceeded with in the absence of any member or members of the Court other than the Chairman.

The conclusion of a Court of Referees is not a decision but a recommendation to the insurance officer. The insurance officer, unless he disagrees, must give effect to the recommendation, or, if he disagrees, refer the recommendation, with his reasons for disagreement, to the Umpire appointed under the Acts, whose decision on the question is final. Any association of employed persons of which the claimant is a member or the claimant himself with the leave of the Courts of Referees may request the insurance officer to refer the recommendation to the Umpire.

The Acts direct that leave shall be given, when, in the opinion of the Court, it is reasonable to give such leave, having regard to the importance of the principle involved or any other special circumstances.

This procedure is commonly referred to as an appeal. It is not necessary for the claimant or his representative to appear personally before the Umpire, the large majority of appeals being decided upon written evidence.

8. *Method of claiming benefit.*—Unemployment benefit is obtainable by insured contributors in one of two ways:—

(1) direct from an Employment Exchange or other local Office of the Ministry; or

(2) through an Association which has made an arrangement with the Minister of Labour under Section 17 of the Unemployment Insurance Act, 1920.

An insured contributor who desires to claim unemployment benefit (hereinafter referred to as a claimant) is required by Regulations to make his claim at an Employment Exchange or other Local Office of the Ministry of Labour.

9. *Claims.*—When a claimant makes his claim for the first time at an Employment Exchange this is called a fresh claim. Full particulars of his industrial record and qualifications are obtained, and he is, at the same time, registered for employment and put into touch with the vacancy department of the Exchange.

For his claim to benefit, he is required to lodge at the Exchange his Unemployment Book (that is, the book on which the contribution stamps are placed), and he is asked to give certain relevant particulars which are required for the purpose of enabling the Insurance Officer to ascertain whether the conditions for the receipt of benefit are fulfilled, and whether there are disqualifications at that date.

If he wishes to claim benefit through an Association, he must state this on making his claim. He can only make a claim in this way if he is a member of an Association which has an arrangement with the Ministry for the purpose.

Renewal claims are claims of insured contributors who have been in receipt of benefit within the previous twelve months on a claim which is still current, have returned to work and are making a claim to benefit on a further spell of unemployment. These claims are dealt with in the same way as fresh claims, except that the original claim is revived and the file or record of the insured contributor is looked out and the details checked and brought up to date.

10. In practice, the ascertainment of the various facts which ultimately lead to the decision whether an insured contributor should receive unemployment benefit or not is the outcome of the work of various officers employed at the local Exchanges and at the central office at Kew.



When a claimant makes a claim at an Employment Exchange, he is seen, in the first instance, by a claims clerk, who takes all relevant particulars from him. The clerk then sets in motion the necessary machinery for ascertaining whether the statutory conditions have been fulfilled and whether there is any disqualification for benefit so that a decision whether unemployment benefit is payable may be given.

11. *Proof as to fulfilment of statutory conditions.*—The first statutory condition requires that thirty contributions shall have been paid in respect of the claimant during the two years preceding his claim.

The record of contributions is kept in the Finance Department of the central office at Kew. The Exchange, therefore, must write to this Department at Kew for a statement in each case. A communication (U.I. 461) is sent on the same day that the claim is made, and the information, with very few exceptions, is obtained and received back at the Exchange by the third day.

In certain cases information has to be obtained from the claimant; for instance, if he has been sick within the two years period during which the qualifying contributions must have been paid, in which event there can be an extension of that period. The dates of the sickness have to be obtained and verified. There are also relaxations affecting persons in receipt of a disability pension, and other minor matters may arise as well.

The question whether the first statutory condition continues to be fulfilled by a claimant during a spell of unemployment is reviewed only at quarterly intervals.

12. *Transitional provisions.*—These provisions enable a person in whose case the first statutory condition is not fulfilled, to be treated as if the condition was fulfilled if he proves :—

(a) that not less than eight contributions were paid in respect of him as an insured contributor during the period of two years immediately preceding the date of the application for benefit, or that not less than thirty contributions have at any time been paid in respect of him as an insured contributor; and

(b) that he is normally employed in such employment as would make him an employed person within the meaning of the principal Act (referred to as "insurable employment") and that he will normally seek to obtain his livelihood by means of insurable employment; and

(c) that he has, during the two years immediately preceding the date of the application for benefit, been employed in an insurable employment to such an extent as was reasonable, having regard to all the circumstances of the case and in particular to the opportunities for obtaining insurable employment during that period.

13. *The second statutory condition* requires a claimant to make application for benefit and prove that he is unemployed.

The first part of this condition means that a claimant must attend at a local office and sign the necessary documents. The second part, that he is unemployed, is proved by his attendance at the Exchange and signature of the Register during his unemployment.

Occasionally questions may arise as to whether the claimant can strictly be said to be unemployed within the meaning of the Acts. Further, it must be settled on renewal claims whether the unemployment is continuous with a previous spell of unemployment, or whether he must serve the waiting period of six days during which benefit is not payable.

14. *The third statutory condition* is that the claimant is capable of and available for work. Capacity for work is usually quite easy to prove and determine. The claimant's attendance at the Exchange and his readiness to take employment are accepted as *prima facie* proof of his availability.

15. *The fourth statutory condition* is that the claimant is genuinely seeking work but unable to obtain suitable employment.

At the commencement of a claim the fact that the claimant has just begun a spell of unemployment after a period of employment is generally accepted as *prima facie* proof that the condition is fulfilled.

If while the claim is current the Exchange thinks that a particular vacancy is suitable to the claimant he is given an introduction card known as a "green card" to take to the employer who is asked to write on the card the result of the interview, and should the employer indicate that the claimant has refused the employment, the Insurance Officer may consider that the claimant is no longer unable to obtain suitable employment and disallow the claim.

16. *The fifth statutory condition* relates to attendance at a course of instruction as a condition for the receipt of benefit. This at present is applied only to juveniles (i.e., of 16 to 18 years of age), and is effective only in places where there is a Juvenile Unemployment Centre.

17. In addition to the questions put to the claimant a leaflet is given to him (U.I.L. 18) which contains a short outline of the statutory conditions and disqualifications. The claimant is also informed that he must attend daily or on certain days in the week to sign the Unemployed Register at the Exchange. The signature of the Unemployed Register is in fact a signature of a declaration by the claimant that he is:—

- (1) Unemployed.
- (2) Genuinely seeking work but unable to obtain suitable employment.
- (3) Capable of and available for work.
- (4) Not in receipt of National Insurance Sickness or Disablement Benefit.

18. On the day when the claim is made a form of enquiry is sent by the Local Office to the claimant's last employer. This form (U.I. 85) sets out the details of employment and its termination as given by the claimant and the employer is asked to reply on the form whether the information given by the claimant is correct and to give the reason for the termination of the employment. This last question is asked in order that the Insurance Officer may determine whether the claimant is affected by one of the disqualifications, viz. :—

(a) loss of employment by reason of a stoppage of work due to a trade dispute; and

(b) loss of employment through his misconduct or through having voluntarily left his employment without just cause.

19. If the employer's answer to the questions on U.I. 85 shows no ground for disqualification or where no answer is received, it is unnecessary to send any further communication to the claimant.

If the employer's answer to the questions on U.I. 85 raises a doubt as to the fulfilment of the conditions or freedom from disqualification, a form U.I. 86 is sent to the claimant setting out the statements of the employer as made by him and asking for a statement by the claimant in reference to them.

20. Where, after taking into account all the information ascertained by the procedure as set out in paragraphs 8 to 19, the Insurance Officer at the Exchange entertains no doubt that a title to benefit has been established he allows benefit and authorises its payment each week by signing a declaration to this effect on a form A/cs 325. In certain cases there is a statutory waiting period before benefit can be paid.

In all cases where a doubt arises as to the claimant's title to benefit, the claim form together with all relevant documents is sent to the Chief Insurance Officer's Department at Kew. To this Department alone, at the time when our inquiry opened, was entrusted the power to refuse or stop benefit.

21. Since 9th September, 1929, however, by statutory Regulations, an Insurance Officer at an Exchange may submit to a Board of Assessors appointed to represent employers and insured persons, the questions whether a claimant is genuinely seeking work and, if the transitional provisions (b) and (c) set out in paragraph 12 hereof, apply to the claimant, whether he satisfies those conditions.

The local Insurance Officer has authority to accept a recommendation made by the Board of Assessors, whether it is favourable or unfavourable to the claimant and to give his decision accordingly, but he may not himself give a decision contrary to the report of the Assessors. If he feels any difficulty in accepting their report or if the Assessors disagree on a case the local Insurance Officer refers the papers to the Chief Insurance Officer at Kew who gives a decision and returns the papers to the Exchange.

22. Where a claim for benefit is disallowed, the claimant is notified in writing to that effect and is informed what is the ground of the disallowance. He is also informed in the same communication that he has a right of appeal to a Court of Referees and that a form to enable him to do this may be obtained by him at the Exchange.

23. *Subsequent continuance of benefit.*—Where a claim to benefit has been admitted and payment has begun the continuance of benefit is still contingent upon the claimant continuing to satisfy the statutory conditions and remaining free from disqualification. As stated above, the claimant is required to sign the Unemployed Register at the Exchange. In addition to this, steps are taken to see that payments are being made in accordance with the statutory provisions. This is done in two ways, namely: a system by which claimants are interviewed and by periodical inspections of the work of the Exchanges.

24. *Interviewing.*—The interviews are conducted by officials of the Employment Exchanges who are usually of the rank of Employment Officers. Normally, interviews do not begin on a regular basis until the claimant has been unemployed for some time—ordinarily 60 days—and they take place thereafter at intervals which may be as long as 60 days of benefit, but if for any reason doubt arises earlier, an interview will take place then. Where, as the result of an interview, the Interviewing Officer entertains doubt as to whether the claimant continues to be entitled to benefit, a record of the interview is made on a form (U.I. 567). The claimant himself is asked to sign that part of the report which records the information given by him to the Interviewing Officer. There are different forms in the U.I. 567 series on which reports are made and these vary according to the point which has arisen.

25. In those cases where the fulfilment of the fourth statutory condition is in doubt, the claimant's signature covers that part of the report in which a record has been made of the "steps taken by the claimant to find work." Under the procedure in operation prior to 9th September, 1929, before sending this form to the Chief Insurance Officer's Department at Kew the Interviewing Officer filled in answers to two questions, namely:—

Having regard to state of employment locally, what chance has an *average* worker of obtaining work of the kind(s) claimant is seeking? (Say, excellent, good, fair, poor, with comments as necessary.)

What steps have other claimants seeking the same kind of work successfully taken to find employment? Comment specially on any difference between this answer and that under 11 of Part 1. (NOTE: 11 of Part 1 is "steps taken by claimant to find work".)

There was also a space on the form for general observations by the Interviewing Officer.

Since 9th September, 1929, on the papers sent to the Boards of Assessors no such answers or observations are made.

Copies of forms U.I. 567A and 567C are set out in Appendix No. 3.

26. The answers to the questions and the general observations made by the Interviewing Officer were not communicated to the claimant at this stage. The papers were considered by the local insurance officer and, if he had any doubt, they were sent to the Chief Insurance Officer's Department at Kew, and on them a decision was given allowing or disallowing benefit. If a claim was disallowed and an appeal lodged the particulars as supplied on form U.I. 567 were transcribed on to a form U.I. 242, a copy of which was supplied to the claimant.

Under this procedure all claims which the Insurance Officer considers to be no longer satisfying the fourth statutory condition are disallowed, before the proceedings on Review which are described in paragraph 32 below. Although the procedure has been changed the effect still is that Review Procedure is confined to claims which have run for 78 days but are considered by the Insurance Officer to be still satisfying the statutory conditions.

27. *Inspections.*—Inspectors attached to the staffs of the seven Divisional Offices of the Ministry periodically inspect the work of the Exchanges, and in the course of doing so make a test of the way in which claims to benefit are dealt with at the Exchanges. Some inspections are made for this purpose only. The Inspectors may in some cases themselves interview claimants and generally their object is to ascertain whether the work of the local offices is conducted efficiently. In addition, Headquarter Inspectors of the Employment and Insurance Department of the Ministry of Labour conduct inspections of the Exchanges and test the benefit work.

In addition to the normal work of inspection investigations are undertaken as a result of communications received from members of the public in regard to the genuineness of claims made by particular individuals, or where other reasons for doubt become apparent.

28. *Suspension of Benefit.*—Where, as a result of the operation of the procedure described doubt has arisen, and the question of the claimant's right to continue to receive benefit has been referred to the Chief Insurance Officer's Department, no authorisation for the payment of further benefit is given, pending the receipt of the decision from the Chief Insurance Officer's Department.

29. *Appeals.*—The form on which notification of a determination to disallow benefit is communicated to a claimant

sets out the ground for the disallowance and contains a notice to the claimant that he may, within 21 days of receipt of the notification, request the Insurance Officer to revise his decision or appeal to a Court of Referees. The claimant is also informed that a form for the purpose of making his appeal can be obtained at the local Employment Exchange, and he is advised to continue signing the Unemployed Register whilst unemployed and, at any rate, until he has been informed of the result of his appeal.

30. *Action on the Lodging of an Appeal.*—The form on which a claimant sets out the ground of his appeal against a disallowance of benefit is returnable to the local Exchange, the officers of which transmit the appeal with the relevant documents to the appropriate Appeals Section. These Appeals Sections are located in the Divisional Offices of the Ministry of Labour at London, Edinburgh, Cardiff, Birmingham, Bristol, Leeds, and Manchester, and in these sections is centralised the whole of the work relating to appeals in the Division concerned with a few minor exceptions in which the work is "outhoused", e.g., at Newcastle where appeals work in that area is dealt with apart from the appeals work for the rest of the North-Eastern Division which is centralised at Leeds.

The Appeals Sections make the necessary arrangements for the holding of Courts of Referees, the attendance of members, appellants, appellants' representatives, etc., and prepare case papers for presentation to the Courts. Officers attached to the Appeals Sections and known as Appeals Officers attend the sittings of the Courts and act as clerks to the Courts.

31. *Presentation of Appeals to the Courts.*—Particulars of each appeal are presented to the Court on a form which sets out, in addition to the identifying particulars (name, age, sex, occupation, marital state, etc.), the ground of disallowance of benefit, the information on which the determination to disallow was based, any further information obtained as a result of enquiries instituted by the Appeals Section, and a copy of the appellant's grounds of appeal.

The appellant is always notified in advance of the hearing of the case by the Court in order that he may have an opportunity of attending, and in cases in which his attendance appears necessary to the proper consideration of the case, he is summoned to attend. The appellant is entitled to be represented before a Court by a person authorised by him other than a barrister or a solicitor, and if the appellant is known to belong to an association of employed persons, the local official of the association is also notified of the hearing. Particulars of each case in the form in which it is to be presented to the Court are sent at the time of notification or summons to the appellant himself, or to the local official of his association if it is known that he belongs to one.

32. *78-Day Reviews by Courts of Referees.*—In addition to the work of considering appeals, the Courts of Referees, under a provision of the Unemployment Insurance Act, 1927, have, since July, 1928, performed another duty, namely, the reviewing of claims of persons who have been drawing benefit for a prolonged period. That Act laid down that this review must take place when benefit has been drawn for 78 days (or 13 weeks) in a prescribed period. The prescribed period is at present four months so that the claims of those who are out of work and receiving benefit for three months out of four are considered by the Court of Referees although no question has been raised by the Insurance Officers or any Exchange Officers as to the claimants' right to continue to receive benefit. The work of the Employment Exchanges in connection with this review is limited to operating an automatic check on the amount of benefit paid, so that as soon as a claimant has received 78 days of benefit within the prescribed period of four months, the case shall be brought to the notice of a Court of Referees. When the time for review has arrived, the Exchange Officer prepares a formal statement in respect of the claimant, showing the name, address, age, sex, occupation, marital state, etc., and the claimant's record of employment. (See Form 242a, Appendix 3.) This statement is transmitted to the appropriate appeals section in which the necessary arrangements are made for the submission of the case to a Court of Referees. Meanwhile, benefit continues to be paid since no doubt of the validity of the claim has arisen.

In the first instance, the particulars of each case due for review are considered by the Courts on paper in the form submitted from the Employment Exchange. After consideration of the particulars of the case, if the Court is of opinion that benefit should be continued, no further action is necessary. If, however, the Court feel that it is desirable to examine a case more closely, the case is adjourned for the attendance of the claimant, and the procedure is similar to that adopted in the case of appeals.

33. *Record of Proceedings of a Court.*—A record of the proceedings of a Court on each case, whether of appeal or review, and of the recommendation of the Court (with minority report, if any), and of the Court's decision as to leave to appeal to the Umpire, is prepared by the Appeals Officer on the back of one of the forms on which the case was presented to the Court. In the case of appeals, this form is then sent to the Chief Insurance Officer's Department. If the Insurance Officer agrees with the recommendation of the Court, the appellant is notified in writing where the claim is disallowed and he is informed of it at the Exchange if the claim is allowed. If the Insurance Officer disagrees with the recommendation of the Court he must refer the matter to the Umpire (whose decision is final and conclusive) and the appellant is notified in cases where this is done.

In the case of reviews, the same procedure is followed except that the completed form is sent in the first instance to the local Exchange from which the case originated. If the recommendation of the Court is favourable to the claimant, that fact is noted at the local Exchange, and benefit continues to be paid, but if the recommendation of the Court is unfavourable to the claimant, payment of further benefit is discontinued. The form is then sent on to the Chief Insurance Officer's Department, where the action taken is similar to that in appeal cases at the same stage.

34. *Associations administering the State Benefits.*—Associations of employed persons may make arrangements to administer the State benefits for their own members under Section 17 of the 1920 Act, as amended by Section 10 of the 1927 Act. The great majority of arrangements made are with Trade Unions. For present purposes, there is no material difference in the procedure in these cases from that of direct claimants at the Exchanges, but technically, the appeal in this case is that of the Association and not that of the claimant.

## PART II.

### STATUTORY CONDITIONS AND DISQUALIFICATIONS.

35. *Fourth Statutory Condition.*—Of the evidence received by the Committee, that upon the Fourth Statutory Condition which requires a claimant to prove that he is genuinely seeking work but unable to obtain suitable employment formed the dominating feature of our enquiry. It was to the first part of the condition requiring a genuine search for work that by far the greater part of the evidence related. We have, therefore, thought it right to deal with this important subject first of all, as the evidence given and our views upon it largely affect and influence the other points which were raised before us.

36. From the statistics given by the Ministry of Labour (see Appendix No. 2), it appears that, for the year ending 6th May, 1929, the number of persons who claimed benefit was approximately 4,000,000 whose claims totalled 10,000,000, with an average number of claims current of 1,144,400. During the same period, benefit was refused or stopped, either by Insurance Officers in the first instance or on the recommendations of Courts of Referees on 840,045 claims on the ground "not genuinely seeking work." To these should be added 37,568 cases where benefit was refused or stopped on the ground that claimants were not unable to obtain suitable employment.

37. The National Confederation of Employers' Organisations, whose constituent bodies cover industries in which approximately seven million workpeople are employed, in the course of their



evidence stated that they had throughout maintained that there must be a definite fixed ratio between the contributions and benefits of each individual insured person if the system is to be efficiently administered and the funds of the system safeguarded. They realised, however, that while they still adhered to that principle they could not usefully develop their views from that aspect having regard to the limited terms of reference to the Committee. At the same time the Confederation pointed out that the Blanesburgh Committee had laid down the principle that the Unemployment Insurance scheme is not a scheme automatically to give assistance to every person who is out of work, but that every person who seeks to become a beneficiary must be willing and still able to work, must still remain in the field of employment and must, in a real sense, be genuinely unemployed only from circumstance and in no way from choice. To these principles the Blanesburgh Committee said they had found general agreement.

The Confederation further pointed out that the Blanesburgh Committee, when deciding to recommend the abandonment of a fixed ratio between contributions and benefit, did so on the understanding that in order that only persons within the insured field should benefit under the scheme, only those who had paid 30 contributions within the previous two years should be eligible to claim benefit. Moreover, to safeguard the funds and to eliminate non-genuine persons they relied on the "faithful administration" of the condition requiring claimants to be genuinely seeking work.

The Confederation contended that it is common ground that the "genuinely seeking work" test is an essential of any Unemployment Insurance system. The faithful administration of that test has to be considered, not only from the standpoint of those who at present complain about the method of its operation, but also from the standpoint of all those who are compulsorily required to contribute to the scheme, and in the absence of a definite fixed ratio between benefits and contributions, and, still more, in the absence of any substantial contribution test, any weakening of the "genuinely seeking work" test must bring the whole of the Unemployment Insurance system into disrepute. They said that on the material furnished in evidence by the Ministry of Labour they were satisfied that the machinery is such as to do justice to all claimants entitled to benefit, and, so far as such claims are concerned, it discloses no ground for amendment of the existing constitution or procedure or the nature of the evidence required.

38. On the other hand the Fourth Statutory Condition was strongly criticised both from the point of view of its working and the great difficulty that claimants have in satisfying either Insurance Officers or Courts of Referees that they have fulfilled its terms. Those who gave oral evidence on this aspect of the matter included representatives of the Trades Union Congress

General Council and individual Trade Unions, two Members of Parliament and other witnesses. It was represented that the condition itself suggests that a man or woman who is thrown out of work is not making any effort to get back into employment and their genuineness is doubted at the outset. It was strongly urged that the genuineness of the claimant should be taken for granted unless facts were proved showing that a case of doubt has arisen. It was pointed out that if a claimant is refused benefit on the ground that he or she is not genuinely seeking work, there is a stigma on that man or woman which it is difficult to get rid of, and this militates harshly against the chance of securing further employment.

Many cases were cited and instances given to show what the witnesses regarded as the unfairness with which this condition had worked and these were used also in support of the objection taken to the cross-examination of claimants at interviews and before Courts of Referees. It was stated that claimants were worried and harassed by a number of questions asking them what they had done on the previous day, the day before and so on for some period back; and such questions as the number of firms visited, the distances traversed, whether they had sought work outside their own district, the nature and incidence of their interviews, whether they had pursued their enquiries further than the works gates, the types of persons they had seen and whether they had been content with the word of a mate or foreman or had spoken to managers and sub-managers.

It was contended that claimants when being interviewed at the Exchanges or on being examined at Courts of Referees were apt to become nervous and ill at ease and in their confusion might give contradictory and inconsistent answers. On these answers, however, a decision on the claim for unemployment benefit would depend and whilst a good workman who resented the kind of question addressed to him might give a bad impression another who was self-possessed or possibly had been carefully coached for the task would be successful.

The Committee believe that they have set out the salient points of objection submitted to them against this condition. This evidence as a whole was directed to the contention that the proof of the fourth statutory condition had cast far too great a burden upon the claimant and indeed has taxed very heavily those who have to administer and give decisions upon it.

39. *Considerations.*—Some of our witnesses have been emphatic that the first part of the condition is unfair to applicants because of its very indefiniteness. They have repeatedly called attention to what they regard as a most unsatisfactory state of things when, in order to decide whether an applicant may have benefit, it is necessary to ascertain what is the state of his mind on a particular question.

In the course of our consideration we have naturally had much regard to the leading decision of the Umpire (No. 1404/26 given

on 14th July, 1926), which deals with the fulfilment of this condition.

The following paragraph appears early in the decision :—

" In considering whether a person is genuinely seeking work the most important fact to be ascertained is the state of the applicant's mind. If a person genuinely wants work, i.e., really prefers working for wages to living on benefit, it is probable that she\* is genuinely seeking it. But if a person prefers benefit to wages, or is content to be without work so long as she receives benefit, it may be presumed that she is not genuinely seeking it. Action is guided by desire, and whilst few people genuinely seek what they do not desire, most people genuinely seek what they really desire."

From these words it follows that so long as a condition in the terms of the first part of the fourth statutory condition remains, no satisfactory decision can be arrived at without knowing the state of the claimant's mind. Cases of the kind postulated by the Umpire would be easy of determination once one had ascertained that fact. But that ascertainment is in the nature of the case a matter of difficulty. It is often the case that on evidence presented a fair inference might have been that a claimant's search for work has not been well directed or he had become a little disheartened but where a decision that his efforts were by way of pretence would not be justified by the evidence. In such a case it could hardly be said that the disallowance meant that the claimant preferred benefit to wages. When it is realised that in over 340,000 claims in one year benefit was refused or stopped on the ground that claimants were not genuinely seeking work, it is understandable that the possibility of such an imputation has caused some indignation.

The fourth paragraph of the Umpire's leading decision has also led to discontent, especially among the claimants who are married women. The sentence " Her present needs, the amount which she can earn when at work as compared with the amount of benefit which she would receive and the circumstances in which she lost her last employment are all matters for consideration " though qualified by the sentence " it would not be fair to assume that a person does not desire work and is not genuinely seeking work merely because she can live in reasonable comfort without it " has led to an amount of cross-examination as to family income which is very much resented.

40. The state of a man's mind may be a matter of fact, but it is a fact of a kind on which two neutral and unbiassed persons might reach opposite conclusions after the most careful consideration of the evidence available to them for forming a judgment.

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\* NOTE.—The decision was stated by the Umpire to apply equally to both sexes.

(c) The usual means of obtaining such suitable work as is available. We feel that Courts of Referees have in some cases paid insufficient regard to the Umpire's direction on this point. We think the claimant's obligation might be limited to the employment of the usual means.

(d) The reasonableness and diligence of the claimant's efforts. We are of opinion that here we have the only practical criterion. The claimant should be required to prove that he has made reasonable efforts by the usual means to obtain such suitable work as may be available. The question of the classes of work which are to be regarded as suitable will have been already settled, and the claimant will not be liable to experience any surprise that a particular class of work is regarded as suitable for him. Evidence will have been submitted as to availability of work so that claimants will not feel that they are being disallowed because they have not been seeking work which is not there. We think in this way all the main grievances which have been put before us will be met.

42. We were pressed by several witnesses to make the offer of suitable employment the sole test and it was urged that unless the Exchanges could show that the claimant had received an offer of suitable work and refused it, benefit should continue to be payable. We are unable to accept this as the sole test.

These witnesses recognised that at present only a minority of the vacancies which are filled every day come within the cognisance of the Exchanges. They urged before us that every endeavour should be made to increase the number of vacancies notified to the Exchanges but the fact remains that of the vacancies filled only about one-fifth are filled through this agency of the Exchanges.

Reference should also be made to the second part of the Fourth Statutory Condition which a claimant has to prove, namely, that he is unable to obtain suitable employment. We were informed that in practice the most usual test of the satisfaction of this is to bring to the notice of a claimant through the machinery of the Employment Exchanges, a vacancy notified by an employer.

It is obvious, however, that the meaning of these words covers other cases and, in fact, much of the cross-examination to which exception has been taken, seems addressed to substantiating a case for disallowance under this part of the condition rather than under the words "not genuinely seeking work." We are also satisfied that the two disqualifications we recommend in the next paragraph do in fact cover the same ground as the words in question.

43. *Conclusion.*—We believe that, however it may be expressed, there should be a provision in the scheme that only those persons who are making an effort to obtain work should have benefit. This being granted, it becomes a matter of

reaching a formula which would avoid the difficulties experienced at present and would be an adequate safeguard for the funds. At the same time it must not impose on the administration a task which it would be impracticable for it to carry.

To find a formula to satisfy these principles has not been an easy matter. After much discussion we recommend that the present form of words should be abandoned and instead of having a condition to be proved by the claimant the test should be applied by way of a provision for disqualification.

It should be made a disqualification for benefit

(a) if a claimant has refused an offer of suitable employment.

This would be subject to the existing provisos (a), (b) and (c) as to offers of employment contained in section 7 (1) of the Unemployment Insurance Act, 1920, as amended, or

(b) if there is evidence that suitable work was available and he fails to prove that he had made reasonable efforts to obtain such work.

There should be provisos attached to the disqualification to the effect :—

(1) that where evidence is tendered as to the availability of work other than in the usual occupation of the insured contributor, the Court must be satisfied that such a time has elapsed since the date when the claimant became unemployed as is reasonable in the circumstances of the case and that the insured contributor has had written notice from the Insurance Officer that he is required as from the date of the receipt of such notice to extend his search for work as therein mentioned; and

(2) that on receipt of such written notice the insured contributor has either not objected or has within three days required the Insurance Officer to refer to a Court of Referees for determination the question whether, in the circumstances of his case, a reasonable time has elapsed.

44. *Suitable Employment.*—We have pointed out that this matter should be one for discussion between the officer at the Exchange and the claimant and in the case of dispute the matter can be referred to the Court of Referees for decision. In this connection work in an uninsurable occupation has to be taken into account.

We have been urged by several witnesses, particularly on behalf of women, to recommend that in no case should uninsurable employment be regarded as suitable. The employment invariably referred to in the case of women is domestic service. The points made are two :—

(1) That domestic service is not suitable employment for the majority of working women. Women in skilled trades who go to it find themselves unfitted after a time to go back to their usual occupations. A large number of women

who try domestic service are almost instantly dismissed because they are totally unfitted for it.

(2) A woman who takes up domestic service and remains in it oftens finds it difficult to re-enter the insurable field and may be unable to bring herself within transitional provision (b) of section 14 (2) of the Unemployment Insurance Act, 1927, if she becomes unemployed.

With regard to the first point we feel that the change in the burden of proof which we have recommended will go a large way towards ameliorating the feeling of grievance. We are agreed that it is not possible for us to say, either in the case of men or women, that uninsurable employment cannot ever be suitable. Each case must depend upon its own facts and the tribunal should give careful consideration to the usual occupation of the claimant, and his or her capability for the employment suggested.

With regard to the second point, so long as some employments are not within the scheme of the Unemployment Insurance Acts, the question must remain, in the absence of a strict contributory test, does a person normally seek to obtain his livelihood by means of insurable employment or not. This again is a question to be decided on the facts of the individual case. It may be pointed out that the provision is applied only to claimants who fail to pass the ordinary test of the first statutory condition.

45. *Other conditions and disqualifications.*—We have dealt fully with the fourth statutory condition because it is, as we have said, the matter to which by far the greater part of the evidence we have received has been directed. Apart from transitional provision (c) in Section 14 (2) of the Unemployment Insurance Act, 1927, it is not necessary for us to comment upon the remaining statutory conditions except to say that the witnesses before us have not suggested that they have any criticism to make on the nature of the evidence to be required as to their fulfilment.

Transitional condition (c) applies in cases where the claimant has not paid thirty contributions in the two years preceding the date of his claim, and it requires him to prove that "he has during the two years immediately preceding the date of the application for benefit been employed in an insurable employment to such an extent as was reasonable having regard to all the circumstances of the case and in particular to the opportunities for obtaining insurable employment during that period".

In a number of decisions given by the Umpire he has held that a claimant cannot be said to have satisfied this condition if, during the period of two years over which the reasonable period of employment must be shown, he has had a claim for benefit disallowed on any of the grounds "not genuinely seeking work", "not unable to obtain suitable employment", "lost his employment by reason of misconduct" or "left his employment voluntarily without just cause".

It was contended before us that the effect of these decisions is that a claimant who has once been disallowed benefit on the

grounds set out above is unable to bring himself within the condition until he has requalified himself by obtaining thirty stamps, or two years have elapsed since the date of disallowance. We do not think that this incident of disproof, the consequences of which are so severe on a claimant, was intended or contemplated by the Legislature.

46. With regard to disqualifications there is one respect in which the evidence we have received urged strongly that there should be alteration. Several witnesses, notably the Standing Joint Committee of Industrial Women's Organisations, have suggested that the use of the word "misconduct" to describe the reason for the loss of employment is unnecessarily offensive in the case of women claimants. The term is, in fact, used in the section of the Act dealing with disqualifications which provides that "an insured contributor who loses his employment through his misconduct . . . shall be disqualified for receiving unemployment benefit for a period of six weeks or such shorter period as may be determined". We understand that the point is not a new one and we can believe that the use of the word gives offence to women. It is the practice of the Chief Insurance Officer in cases where he finds it necessary to disallow benefit for this reason to do so in the following terms: "That the claimant having lost his employment in circumstances which amount to 'misconduct' for the purposes of the Unemployment Insurance Acts is disqualified from receiving unemployment benefit for                weeks from and including               ". Again we feel that this is outside our terms of reference and we can make no recommendation on it, but we have called attention to the matter because it was raised by several witnesses.

47. We have described in paragraphs 18 and 19 the procedure which is followed in order to ascertain whether a claimant has lost his employment in circumstances which appear to involve disqualification on the ground that he left his employment voluntarily without just cause or was discharged for misconduct. It was represented to us that where such cases come before Courts of Referees the employer is not usually in attendance and the evidence is generally presented by means of a written statement. We are of opinion that where the claimant's testimony is in conflict with the employer's written statement, if the claimant requires it, the Court should not proceed to a decision without requesting further evidence on behalf of the employer on the point or points in issue.

One suggestion made to us was that the employer should be required to attend the Court. There is not, however, any power at present to compel his attendance and we feel considerable doubt whether it is desirable to seek it. The intention of the legislature appears to have been to avoid the forms and procedure of courts of law and with this in view to have excluded barristers and solicitors from appearing before the Courts of Referees. The procedure of subpoena for employers could not be limited to them

and would be followed inevitably by other features of courts of law such as evidence on oath and attendance of advocates. In our view such a tendency is to be deprecated. We believe it is in the interests of claimants to maintain an informal procedure in Courts of Referees, being convinced, as we are, that good results and equitable decisions are thus attained.

48. It was represented before us that something was required to be done in the direction of informing claimants what were their rights under the unemployment insurance scheme. Every claimant on making his claim is handed a memorandum setting out in easily understood form the conditions which he has to fulfil and the disqualifications to which he may be subject. There is, however, another memorandum (U.I.L. 8) issued by the Ministry giving a general outline of the scheme as a whole. This is not given to all claimants for benefit and we think it would serve a useful purpose if this were done.

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### PART III.

#### INSURANCE OFFICERS.

49. The duty of Insurance Officers appointed under the Acts may be defined briefly as the determination of claims to unemployment benefit. The organisation and machinery outlined in the earlier part of this report constitute the present procedure for carrying out this duty and are the outcome of experience in the performance of the work during the years since 1912 when the National Scheme of Unemployment Insurance first took shape.

The magnitude of the task of considering claims for benefit and other questions submitted for determination by Insurance Officers may be indicated by mention of the facts that the number of individual payments of benefit throughout the year ended May, 1929, averaged the figure of 1,000,000 weekly, the total number of individuals who claimed benefit during the year was about 4,000,000 and the total number of fresh and renewal claims made during the year by those individuals was over 10,000,000. The taking of all these claims in the prescribed manner, the checking of the evidence of unemployment of the claimants, the computation of amounts to be paid, and the other work incidental to the determination of claims to benefit constitute a truly gigantic task as to the performance of the major part of which we have received no evidence of a critical nature. That fact alone we regard as evidence of the efficient manner in which the work as a whole is performed.

In view of the fact that ten million claims for benefit are made in a year it is obviously impracticable that some 1,700 Insurance Officers should deal personally with all the claimants. Consequently in considering any claim or question submitted for their



determination Insurance Officers rely upon reports made by Officers at the local Exchanges and the records kept at the Finance Department of the Central Office at Kew.

Before the 9th September, 1929, when the procedure of local assessors referred to in paragraph 21 above was first adopted it was the practice that Local Insurance Officers should give decisions only in those cases where in their judgment benefit should be allowed and that in any case where a doubt arose the question should be referred to the Chief Insurance Officer for a decision. This procedure was adopted for the purpose of keeping decisions as far as possible in accord throughout the country. It is especially of value in cases where claims arise from the same cause in widely separated districts and affecting sometimes very large numbers of claimants. Further the case law of the Unemployment Insurance Acts which is to be found in the decisions of the Umpire is already very voluminous. The principles therein laid down, must of course, be applied in arriving at a decision on an individual claim. For this reason also the power of disallowance of claims was placed in the hands of the Chief Insurance Officer.

Insurance Officers thus fall into two groups, namely, those who are employed at the Local Exchanges, etc., throughout the country and those who are employed at the Chief Insurance Officer's Department at Kew. It is convenient to refer to the former group as Local Insurance Officers and the latter as the Chief Insurance Officer. As the Local Insurance Officer in referring questions to the Chief Insurance Officer relies largely on the reports of interviews, we propose to deal with the subject of interviewing first of all.

50. *Interviewing.*—The practice of interviewing claimants for benefit arose from the necessity of having to decide under the earlier Acts whether the conditions "making reasonable effort" and "a reasonable period of employment" were satisfied by individual claimants. Those conditions in their nature are just those which require that claimants must be seen at some stage by or on behalf of those who have to decide whether the conditions are fulfilled.

This enquiry of the claimants is obviously conveniently done by means of interviews. As already pointed out it would be quite impracticable for the statutory Insurance Officers themselves to perform this task. It devolves, therefore, on officers of the Exchange, working under direction, to obtain the necessary information for submission to the Local Insurance Officer which will enable him to determine whether a particular claim is allowable.

We have already to some extent dealt with this question of interviewing in connection with the condition which requires that the applicant shall be genuinely seeking work, and in doing so we have stated what were regarded by the witnesses before us as being the points of objection to the practice.

51. Some of the evidence on this question of interviewing was directed to achieve the abolition of the procedure itself. We are, however, of opinion that so long as the title to benefit is conditional upon fulfilment of the conditions and freedom from disqualifications, interviews between claimants and the representatives of the statutory authorities are necessary and the most convenient way of ascertaining whether a claimant is eligible for benefit.

Several points have been put to us as indicating that an improvement in the interviewing procedure is desirable. In particular it is said that—

(1) claimants do not always appreciate the purpose of the interviews;

(2) not enough time is devoted to each interview and consequently claimants do not have sufficient opportunity to express themselves fully;

(3) the very fact of being interviewed frequently re-acts unfavourably on a claimant and prevents him from doing himself justice.

In regard to these matters we are of opinion that it should be made abundantly clear to claimants what is the object of any interview. This step should be taken at the commencement of the interview and sufficient time should be devoted to it to see that the claimant understands the subject to be discussed. In particular opportunity should be given to the claimant to express himself adequately and fully on the whole matter.

We attach considerable importance to everything possible being done to put a claimant at his ease and to make him understand that while it is necessary to ask him certain questions, the officer interviewing him will do so with a real desire to help and not merely to obtain the necessary information. We do not doubt that this is in fact commonly the position to-day, but we believe that it would lead to the best results if this position were always made clear to claimants at the time of interview.

While we regard the interviewing procedure as a necessary part of the machinery of determination of claims, we are definitely of opinion that it is a procedure which must be carried out with every consideration for the circumstances of the applicants who have to be interviewed.

52. It was suggested to us that it was very desirable in the interests both of claimants and the insurance scheme that advantage should be taken of interviews which are primarily held for benefit purposes to advise and encourage claimants in their endeavours to obtain employment. We were informed in this connection by the official witness from the Ministry that wherever practicable interviews are conducted by officers who work for most of their time in that section of the Exchange where vacancies are notified by employers. Vacancy officers have first-hand knowledge of the industrial activities of the district and are able to, and do, direct the efforts of claimants

to those quarters where work is most likely to be found. In our view this practice of using vacancy officers for the purpose of conducting interviews is right and should be extended wherever practicable.

If, as we propose in paragraph 41, the question of what is suitable work is fully discussed between the Interviewing Officer and the claimant, there should be opportunities in the course of the discussion for helpful suggestions to be made to the claimant.

In this connection it was urged that every practicable step should be taken to bring about closer co-operation between the Department and the Trade Unions with a view to the creation of an effective placing machine through both agencies.

53. *Records of interviews.*—In the great majority of cases the interviewing officer is satisfied by the statement of the claimant that he has fulfilled the statutory conditions and is not disqualified. In these cases no record of the interview is made, beyond noting the date of the interview. In other cases a note of the information obtained is prepared by the interviewing officer and submitted to the claimant for his signature as indicating his agreement to the accuracy of the statement. Interviewing Officers are instructed to read over such statements to the claimant and to afford him adequate opportunity of reading the statement before he signs it. While we believe that this instruction is generally observed, we are impressed by the evidence to the effect that claimants do not always appreciate what they are signing and subsequently in good faith they sometimes challenge the adequacy and even the accuracy of their own signed statement.

It has been suggested to us that:—

(a) the signing of the statements by claimants should be abolished;

(b) that a duplicate copy of the report of the interview should be given to the claimant at the conclusion of the interview;

(c) that interviews should be conducted by a Committee rather than by an individual.

We do not consider that the recently introduced practice that such statements should be signed by claimants has proved to be helpful and we recommend its discontinuance and we recommend also that where a written record is made a carbon copy of the document should be given to the claimant at the close of the interview. We are not in favour of the interviews being conducted by a committee rather than by an individual.

There are, of course, many occasions on which claimants have interviews with officials at the Exchanges otherwise than in connection with their title to benefit; for example, on the occasion of making his claim or on visiting the Exchange to get information about vacancies or the prospects of them. We do not intend our suggestions as to records of interviews and the

supply of copies to refer to such matters as these. Such a procedure would merely hamper the work and be intolerably irksome to both the claimants and the staff.

54. A further part of the evidence furnished to us on the subject of interviewing claimants was directed to the circumstances under which the staff of the Exchanges are called upon to do this work. On this point it has been stated to us that in some instances the Exchanges are not adequate or suitable for the volume of work. The Committee feel that they are not called upon within their terms of reference to express an opinion as to the structural capabilities or amenities of the Exchanges, nor indeed could they do so without obtaining detailed evidence as to the numbers of insured persons dealt with at each Exchange and the actual accommodation available. They are satisfied, however, that for the purpose of interviews a special room or rooms, according to the number, should be provided where claimants can be interviewed by officers away from the observation and hearing of others and they recommend that such a room or rooms should be provided at the Exchanges. Reasonable accommodation also should be available for those who are at the Exchanges waiting to be seen.

A similar point is the question of staffing the Exchanges. Again, though evidence was given by some of the witnesses to the effect that in their opinion Exchanges were under-staffed the Committee express no opinion on the point except that the number of staff should be large enough and the time at their disposal sufficient to prevent any interview being hurried or cut short.

We have received a considerable volume of evidence in reference to interviewing procedure, and we desire to say that although the methods of carrying out these interviews is criticised, the criticism is not made against the officers personally but directed against the nature of the work which they have to perform and the circumstances under which they are called upon to do it.

55. *Determinations by Local Insurance Officers.*—Questions which have to be considered fall into two groups, namely, those on fresh claims and those in cases where a claim to benefit having been admitted and payment begun, the question arises whether the claimant continues to satisfy the statutory conditions and remains free from disqualification.

With regard to fresh claims little or no criticism was made on the procedure. It has been estimated that of the fresh claims well over 90 per cent. are granted by the Local Insurance Officer and only in the case of the remainder is it necessary to refer the matter to the Chief Insurance Officer.

The vast majority of claims are thus dealt with locally, and we are satisfied that the present procedure so far as fresh claims are concerned has worked well.

With regard to questions arising as to the continuance of benefit it has to be borne in mind that the right to benefit depends upon a decision by the statutory authority. In practice this decision is made each week by the Local Insurance Officer signing a form A/cs. 325, on which appears the Local Insurance Officers' determination, namely, "on the facts within my knowledge benefit is payable in accordance with the schedule" which is a list of the amounts payable to claimants as identified by their claim numbers. On the authority of this form the pay clerks at the local Exchanges pay the benefit to the claimants: When a report is made to a Local Insurance Officer by an interviewing officer he considers the papers, and if he is satisfied from them that the claimant is still entitled to benefit he continues to sign the form in his case.

56. *Suspension.*—If the Local Insurance Officer is in doubt whether the claimant is continuing to satisfy the conditions, or is disqualified, he can no longer certify in that case that benefit is payable. He sends the papers to the Chief Insurance Officer in order that a decision on the point of doubt may be given, and consequently payment of benefit on the claim is not made until the Chief Insurance Officer's decision is received at the Exchange. The reference of the claim to the Chief Insurance Officer is colloquially referred to as "suspension" of benefit. The decision is usually received by the local insurance officer in three days. Where the Chief Insurance Officer decides that benefit should be allowed, in the majority of cases benefit is paid in the ordinary course without any interruption, but in some cases the period taken for ascertaining the decision covers a pay-day and so payment is not made until later when the decision is received. In those cases where the Chief Insurance Officer decides that the claim should not be allowed, benefit is not paid after suspension. The claimant can exercise his right of appeal to a Court of Referees against the decision.

It is to be noted that as a "suspension" is not a decision it is not possible for a claimant to appeal until the Chief Insurance Officers' decision has been given.

Evidence was submitted to us strongly criticising "suspension" and details were given of cases showing great hardship on claimants. Even if the benefit is ultimately allowed, claimants may have been in the meantime without it and in some cases have been compelled to go to the guardians for relief. Sometimes, owing to the day of the week on which the point arises, the notification that the payment of benefit is suspended is not communicated to a claimant until the actual day when he goes to the Exchange expecting payment.

We are of opinion that the procedure which gives rise to suspension of payment of benefit should be brought to an end. We are doubtful whether under the present legislation this procedure can be altered by any administrative act.

Suspension is closely allied to the date of disallowance, and we deal with this in paragraph 72 below.

57. *The Chief Insurance Officer's Department at Kew.*—We have for the sake of brevity hitherto referred to this department as the Chief Insurance Officer, and we desire to make it clear that our comments are in reference to the constitution and procedure of the Department. It is with the working of the Department only that we are concerned and we do not refer to the Chief Insurance Officer himself or the fifty-seven officers working under him. We are satisfied that he and they have carried out their duties in a capable and conscientious manner.

Taking first fresh claims, such questions as whether a claimant has lost his employment through his misconduct or whether a claimant has voluntarily left his employment without just cause, under the present procedure which has been in operation since 1912 fall to be decided by someone who has had and can have no opportunity of seeing either the claimant or the employer. A further question arises and that is the length of disqualification within the maximum of six weeks, for the circumstances of misconduct or those under which a man or woman leaves employment are many and varied.

With regard to questions arising as to continuance of benefit, again the Chief Insurance Officer is called upon to decide these on written statements.

58. As explained in paragraphs 24 to 26, the report of an interview at which doubt arises as to the claimant's title to benefit was, prior to 9th September, 1929, transmitted to the Chief Insurance Officer at Kew together with the interviewing officer's observations on the case. The arrangement for these observations to be furnished was, we understand, devised in order to assist the insurance officer to arrive at a decision on the claim. The observations were not communicated to the claimant except in the case in which he appealed to a Court of Referees. We desire, however, to place on record our view that should arrangements be made in future for observations to be furnished by interviewing officers on the results of the interviews, the claimant should always be furnished with a copy at the same time as he is given the carbon copy of his own statement.

59. We believe that the original intention of the legislature was that insurance officers should be appointed for various areas throughout the country, and that when a claimant made an application for benefit his claim should be determined by a local insurance officer. If the claimant objected to the decision it could then be referred to a district or trade Court of Referees sitting locally for a recommendation which the local insurance officer could accept or refer to the Umpire.

Owing to the enormous number of claims under the later Unemployment Insurance Acts and the multiplicity of legal points which require decision, the disallowance of claims was entirely centralised. The recent institution of local boards of

assessors suggests that decentralisation of those cases in which decisions rest upon considerations personal to the claimant might be advisable. We are satisfied that some cases are best decided by a local tribunal. This would involve a change in the present procedure of Courts of Referees and we deal with this in Part IV of this Report.

## PART IV.

### COURTS OF REFEREES.

60. Cases which come before Courts of Referees are of two kinds, namely, Appeals by claimants against decisions given by Insurance Officers and Review cases; but procedure before the Court is similar in the two classes of cases.

61. *Chairmen.*—Neither the Acts nor the Regulations prescribe the qualifications for the post of Chairman. Ministers of Labour have made every effort to appoint persons of complete independence and impartiality. In consonance with the recommendation of the Blanesburgh Committee, Chairmen are usually either barristers or solicitors. Upon the Chairman, as the president of the Court, devolves the main duty of ascertaining the facts from the claimant and any other witnesses who may be present and directing the members of the Court on the point or points in issue before determining the recommendation to be made.

It was suggested by some witnesses who appeared before us that the present method of appointing chairmen should be discontinued and in its place a chairman should be elected at each Court from three members summoned from the employers' and workmen's panels or that the Courts should be formed by an equal number of representatives of each panel. One ground put forward for the discontinuance of chairmen as at present appointed was that being persons of legal qualification they impart to the Courts of Referees the procedure of a Court of Law and so lessen the informal atmosphere which is more in keeping with the administration of the Unemployment Insurance scheme. It was also stated that some chairmen have not a sufficient knowledge of industrial or working-class conditions.

On the other hand it was pointed out that many of the cases raise questions of law which require someone of legal training to deal with. Moreover, a knowledge of the Umpire's decisions is essential and members selected from time to time from a panel could hardly be called upon to acquire this. Further evidence was given before us that the chairmen ought to be retained on the present basis, not only for the reasons just given, but because they had in the past done their work well and efficiently.

62. We feel that of the criticisms made of chairmen and Courts of Referees, the greater part are founded on the administration of the fourth statutory condition. Apart from what we have pointed out above in reference to this condition it should be added that in nearly every case of this class there is no oral evidence before the Court other than that of the claimant. The result is that a Chairman is bound to ask questions of the claimant to elicit the facts from every aspect as well as acting as the impartial president of the Court.

We are satisfied that, taking into consideration the very difficult position which Chairmen are called upon to fulfil, and on reviewing the whole of the evidence before us, they have discharged their duties with good judgment and impartiality.

It was suggested to us that before Chairmen were appointed three or four names of possible persons should be submitted to the appropriate Local Employment Committee for their views and observations before any final appointment is made. We are in accord with this suggestion.

63. With regard to Chairmen of Courts of Referees we make the following recommendations:—

(1) They should have a knowledge of industrial and working-class conditions. They should be barristers or solicitors or any other persons who, in the opinion of the Minister of Labour, can adequately fulfil the duties of the post. In this connection we desire to point out that it is the Chairman's duty to be familiar with the law as laid down in the Umpire's decisions.

(2) When names of possible Chairmen have been obtained by the Minister these should be submitted to the members of the Local Employment Committee for their views and observations, and after receiving these the Minister should make a final selection and appointment.

(3) It shall be the duty of Chairmen to take notes of the evidence given before them and these shall be written upon or transcribed on to the appropriate form.

(4) There should be a sufficient number of Chairmen appointed by the Minister of Labour throughout the various districts to make it possible for them to act for each other, if necessary.

64. *Representatives of Employers and Insured Contributors.*—All the evidence received by us in respect of the constitution of Courts of Referees either directly supports or presupposes the continuance of the present law that Courts of Referees should include representatives of employers and insured contributors and in this we entirely concur.

On reviewing the evidence we have come to the conclusion that in many instances representatives of both employers and insured contributors do not realise that they are members of a Court. In some districts they are referred to as assessors; they



are nothing of the kind; they are members who are acting judicially, and the judgment of each is of equal weight as that of any other member including the Chairman, so that if the members are agreed, their opinion, notwithstanding that the Chairman may disagree with it, is the recommendation of the Court.

It is important that it should be recognised that service on a Court of Referees is a service to the State just as much as acting on a jury, though attendance in the former case is not compulsory.

We suggest that the names of the representatives on both panels as well as the names of the Chairmen should be on printed lists and sent to all members of the panels. In this way members would get to know who were their fellow members, so that if they desired they could meet them and interchange views. Further to facilitate the acquisition by members of the Court of the principles applicable to the different cases, we recommend that some recognised textbook should be supplied to each member of the panels.

65. Particulars put before us of attendances at five Courts over a short period showed that on the average 53 per cent. of the cases were decided by a full Court of three, 24 per cent. by a Chairman and the insured contributors' representative, 16 per cent. by the Chairman and the employers' representative and 7 per cent. by a Chairman sitting alone.

It was submitted to us that attendances of representative members might be improved if

- (a) the Courts met in more centres;
- (b) Courts sat on fixed days or according to a programme arranged well in advance;
- (c) at least one week's notice was given to members to attend;
- (d) some Courts were held in the evenings;
- (e) the scale of expenses allowed was increased;
- (f) in lieu of a scale of expenses based on the length of absence from home there should be a fixed fee.

With regard to (a) we anticipate that our proposals will inevitably require an extension of the numbers and a greater localisation of Courts of Referees. The work in some districts is not sufficient for proposal (b) to be carried out, but we recommend that it should be done wherever it is possible. As to (c) this is the general rule, but, of course, it is not possible to give this length of notice to persons called to replace members originally summoned who are unable to attend.

With regard to proposals (d), (e) and (f) the witnesses were not in agreement as to them and the time at our disposal was not sufficient for us to inquire into them in detail and we therefore make no recommendations on these points.

66. *Jurisdiction of Courts of Referees.*—It is to be noted that at present the finding of a Court of Referees is not a decision

but is in all cases a recommendation to the Insurance Officer. If the Insurance Officer accepts the recommendation it becomes a decision, but if he disagrees with it he must refer the recommendation with reasons for his disagreement to the Umpire.

Where questions as to the right to benefit are referred to the Chief Insurance Officer's Department at Kew they are decided by an officer who has had no opportunity of seeing the claimant. We are of opinion that this is not desirable and it is far better that the decision should be given by a body who has seen the claimant and has a knowledge of local conditions.

The procedure of keeping the power to review in a central department was no doubt intended to ensure that inconsistent recommendations of Courts of Referees in different parts of the country should remain in suspense until such time as a decision by the Umpire could bring them into line. We are satisfied that the protection of this procedure is only necessary in cases of stoppage of work due to a trade dispute.

The Committee accordingly recommend that when a question arises in any case, other than one of a stoppage of work due to a trade dispute, the question shall be referred by the Local Insurance Officer to a Court of Referees.

We further recommend that the determination by a Court of Referees of a question so referred shall be a decision and not a recommendation.

67. In this connection we were told that a considerable proportion of disallowances are not contested by claimants. This seems to be due to the fact that some of those who are disallowed get work within the waiting period and the disallowance is therefore ineffective or to an admission by claimants that they are in fault. We are of opinion that it will not be difficult by administrative action to arrange for such cases to be placed on an uncontested list and to be dealt with formally by the Court.

68. *Right of Appeal.*—We recommend that where a decision has been given by a Court of Referees, the Insurance Officer or any association of employed persons shall have the right to appeal against the decision to the Umpire. In any case where the decision of the Court of Referees is not unanimous a claimant shall have the right to appeal against the decision to the Umpire and in any other case with the leave of the Court of Referees. The Court of Referees shall give leave, as at present, in any case in which it appears to the Court reasonable so to do having regard to the importance of the principle involved in the case or any other special circumstances.

69. *Intimation of Decision.*—Under the present procedure we have found a considerable diversity of practice at Courts of Referees in the matter of communicating to a claimant the nature of the recommendation which it has been decided to make on the case. At some Courts the Chairman himself communicates the result of the appeal direct to the claimant; in other cases this is done by the Appeals Officer or by an usher

attached to the Court, and in one case we had evidence that it was done in writing. In some cases, however, the recommendation is not communicated to the claimant at all, and it is not until later that notification of the result reaches the claimant. It has been pointed out to us with some force that unless a claimant is notified of the finding of the Court at the time of the hearing of his appeal, he is deprived of any right he may have to request the Court to give him leave to appeal to the Umpire.

We recommend that the decision of the Court of Referees should be communicated to the claimant in writing immediately after a decision has been reached. Where it is necessary to obtain leave to appeal intimation to this effect should be given to the claimant. The form should state the decision, whether it is unanimous or not, the right of appeal and that the claimant should continue to sign the Register at the Exchange.

Any findings of the Court shall be written by the Chairman on the appropriate form or transcribed thereon and signed by the Chairman.

70. *Appeals Officer.*—The Appeals Officer is an officer employed at one of the Divisional Offices (referred to in paragraph 30 above), the Appeals Sections of which arrange the holding of Courts of Referees and the work incidental thereto. He attends at a Court of Referees with the necessary documents and acts as clerk to the Court. It has been represented to us that Appeals Officers not infrequently participate in the proceedings of Courts of Referees and in some cases question claimants. We realise that it may not always have been an easy matter for Appeals Officers to discharge their duties; their position has been a difficult one.

The Court will still require an officer as clerk, but his duties should be strictly confined to those of arranging the papers for the Court, recording decisions and communicating them to claimants and the other formal duties necessarily appendant to the work of a Court.

We had evidence that in some cases after the claimant had withdrawn the Appeals Officer remained whilst the Court were discussing their decision. In a large number of cases the Chairman and the members of the Court will be able to discuss the case with one another without being overheard by anyone else present and reach a decision in that way, but we are of opinion that where this is not practicable all persons other than the Chairman and the members should withdraw while the decision is being discussed.

71. *78-day Review by Courts of Referees.*—The procedure for these reviews is outlined in paragraph 32 of this Report. It is important to note that, unlike the other functions of Courts of Referees, the duty of reviewing claims is of very recent origin, having been instituted by the Unemployment Insurance Act, 1927, as from July, 1928. The review was regarded by the Blanesburgh Committee as an essential part of their scheme.

"They felt that in the case of claimants who have drawn heavily on the Unemployment Fund " a careful examination as to the search for work and the fulfilment of the other statutory conditions is essential."

While we appreciate the object of including a review of this kind in an Unemployment Insurance Scheme, and although the scheme of review has been adopted in principle, we feel that the procedure for reviewing has, so far, operated in a way and in circumstances which were not foreseen when the proposal was made.

In the first place, the view which prevailed at that time as to the future upward trend of employment has, so far, not been justified, with the result that not only have the other duties of Courts of Referees been heavier than was anticipated, but the number of cases falling due for review has greatly exceeded expectation. In the period of about ten months ending in May, 1929, these cases in fact numbered more than 1,300,000.

Secondly, in these circumstances Courts of Referees have only deemed it necessary to require the attendance at the Court of about one-quarter of the claimants in cases falling due for review. In the remainder of the cases, the reviews have consisted simply of a perusal, often by the Chairman only, of formal statements prepared by Employment Exchange officers.

For these reasons and also because we feel that the review procedure is scarcely out of the stage of experiment, we hesitate to commit ourselves to a judgment upon it. We recommend, however, that in a review case just as in any other the conclusion of the Court of Referees should be a decision and not a recommendation.

72. *Suspension of benefit and date of disallowance.*—We have dealt in an earlier paragraph with the suspension of benefit when a case is referred by the Local Insurance Officer to the Chief Insurance Officer. The local insurance officer only refers to the Chief Insurance Officer cases in which he feels a doubt and under our proposals it will be such cases that he will refer direct to the Court of Referees. It appears to us that, in those cases where once a claim to benefit has been established, a procedure which imposes a suspension of benefit during the period which elapses between the date of reference and the date of decision may sometimes operate harshly on claimants. Closely allied to the question of suspension is the date of disallowance. More than one witness stated that there were many instances in which a claimant had come to an Exchange for benefit and had there learnt for the first time that his benefit was stopped. We recommend that where benefit is current it should be continued up to the date of decision by the Court of Referees. Under the present state of the law such a procedure cannot be carried out, but we are in favour of it and recommend that it should be adopted.

## PART V.

## SUMMARY.

73. We do not profess in the foregoing paragraphs to have referred to all the points upon which evidence was given before us and it must not be taken from our silence on them that we have not given these full consideration. Before the appointment of our Committee many aspects of the Unemployment Insurance Acts had been discussed, and it was not unnatural that some who did not appreciate the limits of our inquiry, submitted evidence to us on matters outside our terms of reference. Our main conclusions are summarised in the following paragraphs.

74. Our first concern has been the consideration of the words "genuinely seeking work" in the fourth statutory condition and we have reached the conclusion that it is not possible to prescribe the nature of the evidence which claimants should be required to furnish to prove that they satisfy this part of the condition. (Paragraphs 39 and 40.)

75. We recommend that instead of having a condition to be proved by a claimant, the test should be by way of disqualification for benefit (a) if a claimant has refused an offer of suitable work or (b) if there is evidence that suitable work was available and he fails to prove that he had made reasonable efforts to obtain such work. (Paragraph 43.)

76. What is suitable work, should be a matter for frank and full discussion between the officer at the Employment Exchange and a claimant, and in case of dispute should be referred to a Court of Referees. (Paragraph 41.)

77. We recommend that the interviewing procedure should continue. A claimant should be advised at the outset what is the object of the interview and opportunity should always be given to him to express himself adequately and fully on the whole matter. We recommend the discontinuance of the recently introduced practice that records of interviews should be signed by claimants and also that where a written record is made a carbon copy of the document should be given to the claimant at the close of the interview. (Paragraphs 50 to 53.)

78. We are in agreement with the present practice by which Local Insurance Officers allow benefit in all those cases in which no question arises either as to fulfilment of the statutory conditions or freedom from disqualifications. (Paragraph 55.)

79. With regard to Courts of Referees, we recommend that the appointment of Chairmen should not be confined to barristers or solicitors but should be open to any other persons who, in the opinion of the Minister of Labour, can adequately fulfil the duties of the post. All Chairmen should have a knowledge of industrial and working class conditions. We also recommend that the names of proposed Chairmen should be submitted by the Minister to the appropriate Local Employment Committee.

for their views and observations before the Minister makes a final selection and appointment. (Paragraphs 61 to 68.)

80. We recommend that when a question arises in any case other than one of a stoppage of work due to a trade dispute the question shall be referred by the Local Insurance Officer to a Court of Referees. (Paragraph 66.)

81. We recommend that the determination by a Court of Referees of a question so referred shall be a decision and not a recommendation. (Paragraph 66.)

82. We recommend that in any case where the decision of a Court of Referees is not unanimous a claimant shall have the right of appeal against the decision to the Umpire. The other rights of appeal already in existence under the Acts for claimants, the Insurance Officer and associations of employed persons should continue as heretofore. (Paragraph 68.)

83. We recommend that when once a claim has been admitted there should be no suspension of benefit until a decision by a Court of Referees and that where benefit is stopped by a Court of Referees it shall be from the date of the decision. (Paragraph 72.)

84. We recommend that the decision of the Court shall be communicated to the claimant in writing. (Paragraph 69.)

85. We are greatly indebted to our Secretary, Mr. H. R. Hodges, who throughout our proceedings has afforded us valuable assistance and we desire to put on record our appreciation of his services.

(Signed)

HAROLD MORRIS,  
Chairman.

\*AGNES A. ADAMS.

\*JOHN A. GREGORSON.

\*ARTHUR HAYDAY.

FRANK TILLYARD.

Some of the recommendations made in the report of the Committee deal with questions of general policy which will have to be decided by the Minister of Labour. Accordingly, with the assent of the Minister, I have abstained from signing the report.

(Signed) J. F. G. PRICE.

(Signed) H. R. HODGES (*Secretary*).

16th October, 1929.

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\* Subject to the reservations set out hereafter.

## RESERVATIONS BY MRS. A. ADAMS AND MR. ARTHUR HAYDAY.

We are in agreement with the recommendations except in so far as they relate to the Fourth Statutory Condition, and in this connection we are of the opinion that not only should the whole of the Fourth Statutory Condition be abolished, but that the only additional test for refusal of Benefit under the Acts should be as follows:—

“An insured contributor shall be disqualified from receiving benefit where the exchange can prove that the claimant has been offered suitable employment, and has refused it.”

We have been convinced by the evidence, both documentary and oral, that no condition which places the burden of proof upon the applicant can be satisfactory. We consider the proving of such a condition is bound to lead to methods of interrogation by insurance officers and Courts of Referees which are unjust and undesirable.

We are of the opinion that at least 99½ per cent. of the applicants are ceaselessly engaged in their search for work, that they desire work, and prefer work and wages to Unemployment Insurance Benefit. The only test that remains to be applied is a definite offer of suitable employment.

(Signed) ARTHUR HAYDAY.  
AGNES A. ADAMS.

## RESERVATIONS BY MR. JOHN A. GREGORSON.

I find myself unable to concur in certain recommendations in the Report for the reasons hereinafter stated. As a matter of convenience, I have grouped these under certain heads.

## I.—FOURTH STATUTORY CONDITION.

1. While holding the view that under its Terms of Reference the Committee is not empowered to make recommendations which involve an alteration of existing statutory conditions, it is recognised that certain administrative difficulties have arisen under the first part of this statutory condition since the leading decision of the Umpire thereon (No. 1404/26) was given on 14th July, 1926. In my opinion, however, it is fundamental to any National compulsory Unemployment Insurance Scheme that there should be a statutory condition embodying the principle that an Insured Contributor claiming benefit should prove that he is really desirous of obtaining work and making every reasonable effort to obtain it. Short of a real automatic test—a fixed ratio between contribution and benefit—which existed under previous Insurance Acts, the principle just outlined should be one of the statutory conditions of the Scheme.

2. When the Committee, under the Chairmanship of the Rt. Hon. Lord Blanesburgh, G.B.E., unanimously reported to the Minister of Labour on 31st July, 1927, the general principles of an Unemployment Insurance Scheme were laid down in paragraph 53 of the Report as follows :—

“ And first, it must be clearly understood that the purpose of any Unemployment Insurance Scheme is to provide an insurance against unemployment on certain conditions, that is to say, with certain limitations. It is not a Scheme automatically to give assistance to every insured person who is out of work. It does not provide an out-of-work donation. The distinction is vital. It flows from it that a beneficiary under an Insurance Scheme must be willing and still able to work; that he must still remain in the field of employment; that he must, in a real sense, be genuinely unemployed only from circumstance and in no way from choice. No other person can properly be a beneficiary under an Insurance Scheme. A Scheme to provide benefit in the event of unemployment would impose no such conditions. So far we have found general agreement; and such agreement is important, because of the conditions for the receipt of benefit which are properly and essentially part of an insurance scheme.”

3. That Committee in its Report stated further : “ We appreciate the importance of the view that the administration should be assisted by an automatic test, and the real question is not so much whether there should be a test, as what the test should be, bearing in mind, on the one hand, that the scheme should cover the great bulk of genuine unemployment, and, on the other, that it must never degenerate into a so-called “dole”, or become a mere pension fund. From this fate it must be saved.”

4. It is equally fundamental to an Unemployment Insurance Scheme that the onus of proof with regard to the satisfaction of these statutory conditions should, in its entirety, remain on the claimant. Insofar as the onus of proof is transferred from the claimant to the State through the Insurance Officer, the incentive for a claimant to search for a suitable job will be relaxed and will, in a large measure, cease to exist so far as the fear of losing Unemployment Benefit is concerned.

5. The recommendation in the Report that the existing fourth statutory condition under which the claimant must show that he is “genuinely seeking work but unable to obtain suitable employment” should be abandoned and that the claimant will not be called upon to prove that he satisfies that condition, not only changes what has to be proved but also changes the person who has to prove it. In short, it transfers the onus of proof to the Insurance Officer. When it is borne in mind that an Insured Contributor claiming benefit is, if he can prove his claim, doing so as a legal right and that the claimant's signature at the Employment Exchange each day is his declaration that he fulfils the



conditions, the proposal in the Report is a complete reversal of the fundamental legal principles upon which Unemployment Insurance has been hitherto founded.

The existing Unemployment Insurance Fund Debt of approximately £86 million, and the heavy burden which the Social Services place upon British industry, are added reasons for retaining a statutory condition embodying the above principle.

## II. DECISION BY COURTS OF REFEREES ON WHAT IS SUITABLE WORK.

6. The Report recommends that if a claimant does not agree that work suggested by the Insurance Officer is suitable the question should be referred to a Court of Referees, the claimant meanwhile continuing to draw benefit. Quite apart from the increased volume of work which this recommendation will cast upon Courts of Referees, it is, in my opinion, inevitable that a reference to a Court of Referees to decide what is suitable work is bound to check the usefulness of the Employment Exchanges on their placing side as regards suggestions to claimants towards getting them back into employment as the claimant will, meanwhile, pending a decision by a Court of Referees, continue to draw benefit. In my opinion, this system is likely to prolong unnecessarily the payment of benefit.

## III.—CHAIRMEN OF COURTS OF REFEREES.

7. In the Report of the Committee under the Chairmanship of the Rt. Hon. Lord Blanesburgh, G.B.E., already referred to, the existing machinery of Courts of Referees was laid down. In doing so that Committee pointed out that their aim was to constitute an authoritative and impartial body, presided over by an impartial Chairman and expressed the view that the Chairman should, in future, always be a man of legal training. Having regard to the voluminous case law under the Unemployment Insurance Acts and the questions of interpretation and application which arise in the administration of these Acts, in my opinion, it is desirable that the Chairman should always be a man of legal training.

## IV.—COURTS OF REFEREES.

8. I am satisfied that the present procedure for determining claims to insurance benefit has worked efficiently and satisfactorily and there is no justification, as recommended in the Report, for sending all cases (except Trade Dispute cases) in which questions arise, whether the statutory conditions are fulfilled or there is any disqualification under the Act, for decision by a Court of Referees. While it will still be open to the Chief Insurance Officer to appeal against decisions of Courts of Referees in all these cases to the Umpire, the claimant will continue to draw benefit pending the appeal and if the appeal is decided against the claimant to retain the benefit received in the interval.

9. Under the existing system of procedure which has been in force since the Unemployment Insurance Scheme was inaugurated in 1911, when Unemployment Insurance benefit was disallowed by the Chief Insurance Officer, the claimant had a right of appeal to a Court of Referees. The findings of these Courts being in the form of a recommendation to the Chief Insurance Officer ensured the preservation centrally of an element of uniformity and continuity of decision which, in my opinion, is desirable. The new system recommended in the Report will render this impossible unless the Chief Insurance Officer is expected to appeal cases in large numbers to the Umpire, thereby throwing a heavy task upon the Umpire and many of these cases may involve in the main, decisions on facts, whereas under the existing procedure most of the cases coming before the Umpire involve special points or questions of principle.

10. Out of some 600,000 cases refused by the Chief Insurance Officer last year, only some 220,000 cases were appealed by the claimants to Courts of Referees; it seems clear, therefore, that Courts of Referees will be called upon to deal with some hundreds of thousands of cases which, under the present procedure, can be dealt with, to the satisfaction of the claimants, without further reference.

#### V.—APPEALS TO THE UMPIRE FROM COURTS OF REFEREES.

11. The Report recommends that unless a Court of Referees is unanimous in its decision a claimant shall have a right of appeal to the Umpire. Under existing procedure the claimant has that right of appeal irrespective of unanimity or otherwise of the Court of Referees if the claimant is a Member of any Association of employed persons and with the leave of the Court if he is not.

12. Under the Report, the existing rights of appeal are to continue, but a limited right of appeal to a claimant who is not a Member of an Association of employed persons is recommended where the decision of a Court of Referees is not unanimous. It is difficult to find, either in the existing procedure or in the new additional procedure, any true principle, and it is safe to conclude that the recommendation in the Report can only seriously add to the pressure of work which will fall upon the Umpire. The Report, in my opinion, fails to lay down all the principles which should apply with regard to the right of appeal to the Umpire, whether the claimant is or is not a Member of an Association of employed persons.

#### VI.—SUSPENSION OF BENEFIT.

13. The Report recommends that once a claim has been admitted there could be no suspension of benefit until a decision by a Court of Referees. Under the existing procedure, the Chief Insurance Officer may disallow benefit, and if the claimant, on appealing to a Court of Referees, gets a decision in his

favour, the past benefit is refunded to him; if the Court of Referees' decision is against him, no question of refunding benefit arises. It is obvious, in my opinion, that under the new procedure, any delay in the functioning of a Court of Referees entails the payment of benefit unnecessarily in all cases in which the decision of a Court of Referees is against the claimant.

#### VII.—EVIDENCE BEFORE COURTS OF REFEREES.

15. In my opinion, Courts of Referees should have before them, as evidence, the industrial history of the claimant from the time when he became an insured worker, so that in deciding as to whether or not the claimant fulfils the conditions for benefit, the Court may be aware of the total number of contributions which have been made in respect of the claimant. It seems to me that this evidence is readily available from the extensive records kept at Kew.

#### VIII.—APPEALS OFFICER.

19. I am of the opinion that the Appeals Officer who attends Courts of Referees should not be dispensed with. His services should be retained to act as Clerk of Court. He seems to me the appropriate Officer to perform these duties.

#### IX.—GENERAL.

20. It is easy to magnify the complaints in regard to the existing machinery which, in my opinion, has functioned fairly and efficiently. When it is borne in mind that the number of weekly benefits paid out of the Fund last year was approximately 50 million, and as against this 50 million benefits paid as the result of the consideration of some 10 million fresh or renewal claims, the total number of cases disallowed by the Chief Insurance Officer was some 620,000, and in some 60 per cent. of these disallowed cases, the claimant did not appeal to the Court of Referees, these figures, in my opinion, demonstrate the efficiency and fairness of the existing procedure. Further, of all the cases dealt with by the Court of Referees, only 160,000 were disallowed and of these only 7,600 were appealed to the Umpire.

21. No automatic test such as a fixed ratio of contribution to benefit having been in force since the 1927 Act, and having regard to the fact that any claimant who is more than 18 years of age can make a claim so long as he can show he has done eight weeks' work in the last two years, or 30 weeks' work at any time, inevitably forces me to the conclusion that there must be, amongst the four million claimants, some who do not really desire to obtain work, and are not making every reasonable effort to obtain it. The problem has long been to find some test or rule which would confine the Unemployment Insurance Fund to those still within the insurance field and so safeguard

the Insurance Fund against such a huge debt as £36 million into which it has so quickly drifted. As I have already stated, the only true rule or test is one which definitely relates what an Insured Contributor draws out of the Fund to the number of contributions which have been paid into the Fund in respect of such claimant throughout his insured industrial life.

22. I fully recognise that in the absence of some such test any formula or rule is a poor substitute, but in the absence of such test, I hold the view that the faithful administration of the system cannot permit of any weakening of the principle that a claimant must prove he is really desirous of obtaining work and making every reasonable effort to obtain it.

In my opinion, the recommendation in the Report in this regard is calculated throughout seriously to weaken and, indeed, imperil such existing safeguards as the system still retains, and may ultimately seriously jeopardise the whole Unemployment Insurance Scheme.

(Signed) JOHN A. GREGORSON.

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## APPENDIX No 1.

## LIST OF WITNESSES.

1. *Those who have given oral evidence:—*

Representatives of the following organisations:—

Amalgamated Engineering Union.  
 Dundee and District Union of Jute and Flax Workers.  
 Miners' Federation of Great Britain.  
 National Confederation of Employers' Organisations.  
 Newport Coal Trimmers' Pool.  
 Scottish Council of Textile Trade Unions.  
 Standing Joint Committee of Industrial Woman's Organisations.  
 Trades Union Congress General Council.

Mr. J. M. Baily, O.B.E., Chairman, Court of Referees, Newcastle-on-Tyne.

Mr. George Buchanan, M.P.

Mrs. F. Bray, Member of Court of Referees, London.

Mr. J. A. Dale, C.B.E., Assistant Secretary, Ministry of Labour.

Mr. G. A. Goodall.

Miss M. Howarth, Member of Court of Referees, Birmingham.

Mr. W. Hugh Jones, K.C., Chairman, Court of Referees, Bargoed.

Councillor A. W. Lyne, J.P.

Mr. Grafton Pryor, Chairman, Court of Referees, Isle of Ely.

Mr. A. G. Randall, Member of Court of Referees, Bristol.

Mr. Andrew Reid, Member of Court of Referees, London.

Miss A. M. Singer, Member of Court of Referees, London.

Captain A. Sinfeld, M.B.E., Member of Court of Referees, London.

Rev. Campbell Stephen, M.P.

2. *Those who have submitted written evidence:—*

Aberdare Trades and Labour Council.

Blackburn and District Employment Committee.

Boilermakers', Iron and Steel Shipbuilders' Society—London District Committee.

Mr. William Boydell.

Alderman C. A. Calvert.

Mr. A. Deakin.

Glasgow Trades Council.

Councillor Stanley Holmes.

Col. Cecil L'Estrange Malone, M.P.

National Council of the Pottery Industry.

National Unemployed Workers' Committee Movement.

National Union of Textile Workers.

Mr. A. Richardson.

Mr. J. Staplin.

Mr. G. B. Walker.

Mr. J. H. Wigglesworth.

Workers' Union.

## 3. In addition a considerable number of communications on various subjects which had reached the Ministry of Labour was placed before the Committee.

## APPENDIX No. 2.

## STATISTICS.

The figures here given illustrate the nature and extent of the operation of the statutory authorities in Great Britain in the year ending 8th May, 1929:—

1. The number of weekly payments of benefit in that year was about 50,000,000.

The estimated number of insured persons at July, 1928, was 11,500,000, exclusive of persons insured under the Special Schemes for the Banking and Insurance industries.

The number of individuals who claimed benefit in the year was approximately 4,000,000.

The average number of claims current was 1,144,400.

2. The number of interviews during the year was 4,665,133. The statistics do not show how many different persons are covered, but, of course, it would be much smaller.

3. As a result of these 4,665,133 interviews, 673,288 claims were referred to the Chief Insurance Officer, the remainder being passed. It is not possible to say how many different persons are included in this figure. In addition, the Chief Insurance Officer considered 222,446 cases, comprising mainly matters which had arisen independently of the interviews, such as refusals of suitable employment, leaving employment without just cause and the like.

Of the total of 895,734, the Chief Insurance Officer allowed 274,637, or 31 per cent., and disallowed 621,047, or 69 per cent.

4. Of the 621,047 thus disallowed, 226,923, or 36 per cent., appealed to the Court of Referees, the remainder accepting the decision.

The Court of Referees allowed 86,468, or 38 per cent., and disallowed 140,465, or 62 per cent.

5. The Umpire dealt with 7,650 cases, of which he allowed 2,864, or 31 per cent., and disallowed 5,296, or 69 per cent.

6. There were 1,301,719 of the 78 day reviews, as required by the Acts, held by the Courts of Referees, 4.3 per cent. of which resulted in a disallowance.

The number of individuals thus reviewed in the year out of the 4,000,000 who claim during the year is unknown, but it must be appreciably less than the total number of claims reviewed, etc.

The following table shows the grounds of the disallowances:—

ANALYSIS of claims disallowed by Insurance Officers, and recommendations for disallowance by Courts of Referees, during the 12 months ended 13th May, 1929. Also of decisions by the Umpire during the 12 months ended 29th June, 1929.

Grounds of Disallowance.	Decisions by Insurance Officers.	Recommendations by Courts of Referees.		Decisions by the Umpire.*	
		Ordinary Benefit Appeals.	78 Day Review Cases.	Ordinary Benefit Appeals.	78 Day Review Cases.
<i>Permanent Provisions.</i>					
First statutory† condition (30 contributions in past 2 years).	3,582	33	—	—	—
Not unable to obtain suitable employment.	37,480	11,799	88	761	11
Not genuinely seeking work ...	285,685	68,784	54,360	1,348	537
Trade disputes ... ..	14,599	857	2	251	—
Employment lost through mis- conduct.	52,501	12,441	2	286	—
Employment left voluntarily without just cause.	78,270	15,638	3	317	—
Other grounds ... ..	25,612	4,970	610	724	15
<i>Transitional Provisions.</i>					
Less than 8 contributions paid in previous 2 years or 30 contributions paid at any time.	2,444	210	1	—	—
Not normally insurable and not seeking to obtain a livelihood by means of insurable em- ployment.	19,365	2,854	6	661	1
Not a reasonable period of insurable employment during the proceeding 2 years.	101,509	22,879	321	954	12
Total ... ..	621,047	140,465	55,393	5,197	576

\* The figures relate to the 12 months ended 29th June, 1929. An analysis for the year ended 13th May is not available.

† This condition at present operates only in the case of juveniles under 18 years of age.

## APPENDIX No. 1.

IMPORTANT.

BY NOTIFYING VACANCIES TO THE EMPLOYMENT EXCHANGE, EMPLOYERS CAN HELP TO ENSURE THAT UNEMPLOYMENT BENEFIT IS NOT PAID WHERE SUITABLE EMPLOYMENT IS AVAILABLE.

## MINISTRY OF LABOUR, UNEMPLOYMENT INSURANCE ACTS



Local Office, \_\_\_\_\_

Dear Sir (or Madam),

The Unemployment Insurance Act made application for unemployment benefit, stating that he was last employed by you.

In order to provide against the payment of unemployment benefit to any man whom it should not be paid, it is the practice to ask the claimant's last employer to furnish certain information as to the circumstances in which the man's service terminated. The Department attaches great importance to the completion of employers' forms in respect, and I have to request that you will be so good as to return the duplicate of the form to the bottom of this sheet.

For your guidance, I have to state that an insured contributor (that is entitled to receive unemployment benefit) if—

- (a) he has voluntarily left his employment without just cause, or
- (b) he has lost his employment in circumstances which amount to "dismissal" for the purposes of the Unemployment Insurance Acts; (NOTE: The word "dismissal" includes breaking of discipline or disobedience, or conduct which is inconsistent with the fulfilment of the conditions of service, or conduct that renders him liable of forfeiting his work otherwise.) or
- (c) suitable employment is not available for him; or
- (d) he has lost employment for breach of a contract of wage, which was due to a trade dispute at the factory, workshop, or other premises at which he was employed (unless he could show certain provisions of the Act disapplying these provisions); or
- (e) having lost employment, he ceases to receive wages, or any payment for work of compensation for the loss of, and substantially equivalent to, the remuneration he would have received if the employment had not terminated.

This form should be returned to the nearest address marked (which need not be stamped) to this office with the least possible delay.

I have to add that if your reply appears to indicate any ground for disallowance of benefit, it will, in accordance with the usual practice, be communicated to the claimant, and, together with the documentary evidence on which it is based, will be submitted to the authorities under the Acts by whom claims for benefit are determined.

Yours faithfully,

To \_\_\_\_\_

Date \_\_\_\_\_



**PARTICULARS GIVEN BY CLAIMANT**

1. Name of Police (including branch), \_\_\_\_\_ (Claimant No. \_\_\_\_\_)
2. Number of employment book - Local Office \_\_\_\_\_ Serial No. \_\_\_\_\_
3. Address at which employed \_\_\_\_\_
4. Name of firm and telephone's check number (if any) \_\_\_\_\_
5. Capacity in which employed \_\_\_\_\_
- B. From \_\_\_\_\_ To \_\_\_\_\_

**PLEASE REPLY HERE**

7. Are the particulars furnished by the claimant in Item 1 above, correct? \_\_\_\_\_
8. Are the dates of employment stated in Item 5 above, correct? \_\_\_\_\_
9. Was employment available to the claimant after the period mentioned in 5? \_\_\_\_\_
10. Have wages or any payment by way of compensation for loss of employment been paid in addition to the wages earned up to date of termination? If so, give particulars \_\_\_\_\_
11. For what reason and in what circumstances did the employment terminate? \_\_\_\_\_  
 (\* If the reason is "notice given" state the nature having regard to Item above.)

Date \_\_\_\_\_ By/Signature \_\_\_\_\_

For use at Local Office.

D.L.H. or D.L.O.	
Sent	Returned



# MINISTRY OF LABOUR.

Unemployment Insurance Acts, 1920 to 1926.

Class

No.

Local Office.

11

To

Book  
No.

{ L.O.

{ Ser. No.

Dear Sir or Madam,

Referring to the claim for unemployment benefit lodged by you at this office on,

I have to inform you that in reply to the usual enquiries your last employer has supplied the information below.

If you desire to forward any observations (which may be entered on the back of this form) on the employer's statement you should do so within three days of this date after which time your claim, with the employer's reply and any observations you may have furnished, will be sent to the Chief Insurance Officer, to enable him to give a decision on the claim.

Yours faithfully,

An insured contributor is not entitled to receive unemployment benefit if

- (1) he has voluntarily left his employment without just cause; or
- (2) he has lost his employment in circumstances which amount to "misconduct" for the purposes of the Unemployment Insurance Acts, (NOTE: The word "misconduct" includes breaches of discipline or work rules, or conduct which is inconsistent with the fulfilment of the conditions of service, or renders the worker incapable of performing his work efficiently); or
- (3) suitable employment is still available for him; or
- (4) he has lost employment by reason of a stoppage of work which was due to a trade dispute at the factory, workshop, or other premises at which he was employed (unless he comes within certain provisions of the Act qualifying this general rule); or
- (5) having lost employment, he continues to receive wages, or any payment by way of compensation for the loss of, and substantially equivalent to, the remuneration he would have received if the employment had not terminated.

**Particulars given by Claimant and furnished to last Employer.**

- 3 Address at which employed \_\_\_\_\_  
\_\_\_\_\_  
4 Capacity in which employed \_\_\_\_\_  
5 From \_\_\_\_\_ 19\_\_\_\_ To \_\_\_\_\_ 19\_\_\_\_

**Copy of enquiries addressed to Employer and Employer's Reply.**

- 7 Are the particulars furnished by the claimant in 3 and 4 above, correct? \_\_\_\_\_  
8 Are the dates of employment stated in 5 above, correct? \_\_\_\_\_  
9 Was employment available to the claimant after the period mentioned in 5? \_\_\_\_\_  
10 Have wages or any payment by way of compensation for loss of employment been paid in addition to the wages earned up to date of termination? If so, give particulars \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
11. For what reason\* and in what circumstances did the employment terminate? \_\_\_\_\_  
[\*If the reason is "misconduct," state the nature of any charge in this column.]  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**NOTE.**—Any observations on these replies may be made on the back of this form

CONFIDENTIAL

## MINISTRY OF LABOUR, Unemployment Insurance Acts, 1920 to 1928.

Court of Referees

District

Case No.

{ A  
B

## Report of Appeal on a Claim for Unemployment Benefit.

L.O. of Claim

Appeal lodged

Reached L.O.

Name of }  
Claimant }

Age

Rank } L.O.

No. } Ser. No.

Occupation for  
which registered }

Alternative

Position prior to  
date claim is  
(1) below }

Occupation

Date began

ended

Name and address  
of employer }Associates }  
and Branch }Name and  
address of  
Branch  
Secretary }Date of claim following  
last application to  
District Office

(1) Nature of disqualification or dequalification, and date from which it operates.

(2) Information leading to  
disqualification or dequalification.

(3) Grounds of appeal

(4) Further information obtained  
before case was heard.

U.L. 342.

Note—If, owing to lack of space, additional sheets are used, attach them to this sheet at top left-hand corner.

(5) Report of Court's proceedings:

\* Fails out witness  
is inapplicable.

\* The Court was fully constituted.  
\* No employee representative was present.  
\* No workers' representative was present.  
\* Other witnesses present:-

\* The applicant attended  
\* The applicant did not attend through  
"inability/absence."

(6) Full text of recommendation of the Court of Referees (with Minority Report, if any).

Name of Chairman

Was leave to Appeal  
to the Empire given ?

To the Insurance Officer,<sup>1</sup>

I have to forward to you the foregoing report of a case heard by the above-named Court of Referees on the  
of .

Date

Appeals Officer.

<sup>1</sup> Failure to send  
of evidence is  
LO agrees.

I agree with the recommendations of the Court of Referees in this case<sup>2</sup> for the following reasons:

Date

19

Insurance Officer



# UNEMPLOYMENT INSURANCE ACTS—Case submitted to COURT OF REFEREEs under 75 days Rule.

Confidential

CLAIM Sheet	Date	No. of Entries	CLAIM Sheet	Date	No. of Entries	CLAIM Sheet	Date	No. of Entries
To Court of Referee		District	To Court of Referee		District	To Court of Referee		District
1. Benefit Year commenced on _____, 19____			1. Benefit Year commenced on _____, 19____			1. Benefit Year commenced on _____, 19____		
2. Service: <b>FIRST SECOND THIRD</b> Period: (Delete the two inappropriate entries)			2. Service: <b>FIRST SECOND THIRD</b> Period: (Delete the two inappropriate entries)			2. Service: <b>FIRST SECOND THIRD</b> Period: (Delete the two inappropriate entries)		
3. Date first day received } _____			3. Date first day received } _____			3. Date first day received } _____		
4. Date of last interview by L.O. } _____			4. Date of last interview by L.O. } _____			4. Date of last interview by L.O. } _____		
5. Is attendance before O.C. required? } _____			5. Is attendance before O.C. required? } _____			5. Is attendance before O.C. required? } _____		
6. Remarks (including period and nature of any disallowance or partial claim disallowed or suspended)			6. Remarks (including period and nature of any disallowance or partial claim disallowed or suspended)			6. Remarks (including period and nature of any disallowance or partial claim disallowed or suspended)		
Date of L.O. _____ Date _____ 19____			Date of L.O. _____ Date _____ 19____			Date of L.O. _____ Date _____ 19____		
<b>RESULT of consideration by COURT is</b> _____			<b>RESULT of consideration by COURT is</b> _____			<b>RESULT of consideration by COURT is</b> _____		
<b>A</b> Disallowance to appear before Court.			<b>A</b> Disallowance to appear before Court.			<b>A</b> Disallowance to appear before Court.		
<b>B</b> Benefit recommended for further period.			<b>B</b> Benefit recommended for further period.			<b>B</b> Benefit recommended for further period.		
Agent's Office _____			Agent's Office _____			Agent's Office _____		
Supervisor's Office _____			Supervisor's Office _____			Supervisor's Office _____		
OL 300 prepared _____ Date No. _____			OL 300 prepared _____ Date No. _____			OL 300 prepared _____ Date No. _____		
_____			_____			_____		

# MINISTRY OF LABOUR, Unemployment Insurance Acts.

Part I.

Report an effort to obtain  
work, etc., by (claimant) :

Claim No. .... Clerk's .....

1. Married Widow(s) Single	6. Occupations (s) for which registered	7. Special qualifications (training, etc.) or disabilities (health, etc.) in respect of these occupations :	8. Any obstacle in the way of accepting work in other districts?	9. Any other relevant facts :
2. Age				
3. Mr. - M.R. Form In receipt of : Dis Pension } Disabled } Unemployment } Allowance }				
4. W.D. / T.D. Card				
5. Last day of Benefit (date)				

10. Record of Employment in last two years :

Employer	How employed	From	To

11. Steps taken by claimant to find work :


I agree with the above report.

Signature of }  
Claimant } Date .....

12. Notes. \* Delete inapplicable entries.



Part II. Particulars to be supplied by Local Officer for inclusion in U.L. 342 if claim is disallowed and appeal lodged.

Notes: Statements made by claimant must be entered in Part I.

12. Having regard to state of employment locally, what chance has an average workman of obtaining work of the kind(s) claimant is seeking? (Say excellent, good, fair, poor, with comments as necessary.)

13. What steps have other claimants seeking the same kind of work successfully taken to find employment? Comment specially on any difference between this answer and that under 11 of Part I.

14. General observations.

---

Part III.

15. Decision of Insurance Officer.

Date.....

..... Insurance Officer

\_\_\_\_\_

10



1. <sup>1</sup> Married Widow(er) Single	2. Occupation(s) for which registered.	3. Any disability or any other cir- cumstances leading to handicap element in his search for em- ployment.	4. Any obstacle in the way of accepting work in other districts?	5. Any other relevant facts.
6. Age				
7. <sup>2</sup> Mr. H.M. Person In receipt of } the Pension } Disability } Category }				
8. <sup>3</sup> W.D.   T.A.   Oa				
9. Last day of Pension (date)				

10. Record of Unemployment in last two years:—				11. Any explanation given by claimant why more work was not obtained
Employer—shortname of firm, and name of town.	How employed (if not unemployable, mark "S. I.")	From	To	
				I agree with the above report
				Signature of Claimant _____
				Date _____

NOTE.—State before each spell of unemployment how interval was spent.

## Part II.

12. Is it known whether definite opportunities of employment have been declined by claimant during last two years? If so, give particulars:—
13. Particulars of any known disallowances in the last two years (not answered on appeal) (say "N.G.B.W.," "N.M.H.E.," "L.V.," etc., and date):—
14. Is it known whether the claimant has, when capable of work, failed to maintain registration during periods of unemployment in the last two years? (Say (a) "Yes, from \_\_\_\_\_ to \_\_\_\_\_" or (b) "Not failed," or (c) "Not known.") —
15. Is it suggested that there have been general opportunities of employment in the district during last two years of which the claimant might have availed himself? If so, give particulars:—
16. How does claimant's industrial record during last two years compare with that of other claimants of like age, qualifications, and opportunities (say "Well," "Indifferently," "Badly").
17. General observations:—

Part III. Decision of Insurance Officer.

Date \_\_\_\_\_ 19\_\_\_\_ Local Officer

(NOTE.—If Insurance Officer (14) is in doubt attach a full report on U.I. 145 including as far as possible a statement of claimant's industrial history since 1912.)

Date \_\_\_\_\_ 19\_\_\_\_ Insurance Officer